

1 JUDGE RICHARD A. JONES  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE  
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12 UNITED STATES OF AMERICA, ) No. CR14-172RAJ  
13 Plaintiff, )  
14 v. ) ORDER GRANTING STIPULATED  
15 ASHBY JASON KALELL, ) MOTION TO CONTINUE TRIAL AND  
16 Defendant. ) PRETRIAL MOTIONS DEADLINE  
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19 THE COURT has considered the stipulated motion of the parties to continue the  
20 trial date and pretrial motions deadline and finds that:

21 (a) taking into account the exercise of due diligence, a failure to grant a  
22 continuance in this case would deny counsel for the defendant the reasonable time  
23 necessary for effective preparation due to counsel's need for more time to review the  
24 evidence, consider possible defenses, and gather evidence material to the defense, as set  
forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

25 (b) a failure to grant such a continuance in this proceeding would likely result in  
26 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

27 (c) the additional time requested is a reasonable period of delay, as the defendant  
28 has requested more time to prepare for trial, to investigate the matter, to gather evidence  
29 material to the defense, and to consider possible defenses; and

1                   (d) the case is sufficiently complex that it is unreasonable to expect adequate  
2 preparation for pretrial proceedings or the trial itself within the current trial schedule, as  
3 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

4                   (e) the ends of justice will best be served by a continuance, and those ends  
5 outweigh the best interests of the public and the defendant in any speedier trial, as set  
6 forth in 18 U.S.C. § 3161(h)(7)(A); and

7                   (f) the additional time requested between the current trial date of August 18,  
8 2014, and the new trial date is necessary to provide counsel for the defendant the  
9 reasonable time necessary to prepare for trial, considering counsels' schedule and all of  
10 the facts set forth above.

11                  IT IS THEREFORE ORDERED that the Stipulated Motion to Continue Trial  
12 Date and Pretrial Motions Deadline (Dkt. #16) is GRANTED. The trial date in this  
13 matter shall be continued from August 18, 2014 to December 8, 2014 at 9:00 a.m. All  
14 pretrial motions, including motions in limine, shall be filed no later than October 23,  
15 2014.

16                  IT IS FURTHER ORDERED that the period of delay from the date of this order  
17 to the new trial date of December 8, 2014, is excludable time pursuant to 18 U.S.C. §§  
18 3161(h)(7)(A) and (h)(7)(B)(iv).

19                  DATED this 21<sup>st</sup> day of July, 2014.



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21                  The Honorable Richard A. Jones  
22                  United States District Judge  
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